

2/15/76

Dear Lens,

While you were cleaning up your book, with topical material that could be relevant in the papers, I did not want to call you and interrupt your work. If you are back at work tomorrow, the first day can be a busy one. Also, I'm trying to make as much time as I can with the draft and have to be away part of Wednesday, most of it. And by then I hope to be close to if not into the writing of the next to the last chapter of the second part. I'd like to complete the draft of the first chapter before I get into the last part because this is complicated material, I'm trying to keep it simple while making the case adequately. And I'll be writing a breaking story.

So, when may I expect the balance of the Invader material, the second chapter, the last of the first part? From having heard nothing I assume it has not appeared.

I have a typist for only 4-5 hours a week, Tuesdays. Last week she had the flu. I hope she is not better. If she is she'll not complete the first or rather long chapter but it would be great if afterward she could go on to the second and keep the pagination straight. I'm still looking for a housewife who can type here while her kids are in school. So far no luck.

My initial business in Washington Wednesday will not take long - getting fitted with special anti-embolism supports that are made to order. If Jim can shake himself loose I'll work with him after that until the 2 p.m. bus back. If it is not late and I have no chores to do in Frederick I should be home by four and may phone you. If Jim is going to be too busy I'll try and arrange a ride back earlier.

The last part will deal with the new evidence. It is of two kinds as I plan to handle it: what he had for the evidentiary hearing, which is largely unknown and hot-and-very solid - and what I've gotten and what I expect to get. I plan to keep the exculpatory evidence of the hearing as short as possible, with the exception of the medical examiner. When I'm finished with him there may well be a basis for trying to re-open some cases that were based on his testimony. He perjures for the State.

The amount of search I'm paying for in files I did not asked to be searched is no indication of what I'll get. It is an indication of volume. I presume the dodge this time is a not unfamiliar one to me: search the wrong files, come up with something and then call me a hog for wanting more while I've not gotten what I asked for. But here there can be plusses: those who'll do the searching may not understand all that has to be suppressed. This is the way it worked last time. So, I got some good stuff without compliance.

We had an initial victory in court last Wednesday. The government filed a last-minute protective order against our interrogatories. The judge has a belly-full of long hard work on FOIA cases but rejected the government's move and gave 30 days to answer the interrogatories. Afterward the Assistant U.S. Attorney said the FBI is preparing an affidavit he'll file with a motion to dismiss. I warned him if he did it would be perjury and he henceforth will have to worry about subornation if he files it. On the other hand, I told him, with compliance I'll move to dismiss. But he understand that there will be proven charges if they pull this stunt again. His problem is he has no control. I told him he has never dealt with his clients on this subject and if he values his reputation he'll not assume their truthfulness. We might wind up taking this one to the bar.

However one reads this, it does mean stonewalling and I am certain they do not dare give me what I seek unless they are ready for the whole thing to come apart. I've already forced the early retirement of every agent who did or swore to the lab work outside the FOIA unit. (JFK for sure, MLK probably.)

There is another reason I'd like to be able to have this ready for retyping continuously from the beginning. I may have to go back to the hospital again, possibly only briefly. This also is why I've stopped reading as I write, instead getting as much on paper as fast as I can.

Monday I saw a local general practitioner. He was concerned about no pulse in parts of my left foot and weak pulse where he could find it. He arranged for a local vascular man to see me. It was, luckily, the next day. He has the same concern and fears the possibility of arterial problems. So, he gave me a note to get the medical records from Washington. I was able to return Wednesday, when I had to be there anyway, with enough X-rays. The other records are to be sent. The X-rays show a bad situation of which I was never told in the left leg- the main vein gone. Whatever gone means in this case. I presume it means packed tight enough so none of the radioactive dye could get in. I remember well enough that when the test began with the dye under pressure I could not control the leg and it vibrated in complaining reaction. It is a similar test on the arteries the vascular man wants to do as soon as he knows the full previous history.

I'm preparing to try to write as I walk when I've been sitting too long and the weather is good and when I'm travelling, with a pocket-secretary type tape recorder. I'm hoping it will work out OK but it will mean more rapid transcription and I've got to work that out. I think I can rough enough off the top of the head to fill in later.

Come to think of it I have a consultancy with Playboy on some punk assassination pieces. I'm to get the last by mail Tuesday so that will keep me busy probably then and while I'm travelling Wednesday. If they keep their word I'll be able to hire a secretary more easily but to date I've gotten none of the promised fee. It should be enough to get the typing done.

So, if you can't let me have the rest of the Invaders stuff now can you give me an idea of when?

Hope you got your book done.

Best,